

CHAPTER LI.

An Act to amend an act entitled "An act to Regulate Elections in this State, and to Reduce the several acts relating to the same to one act."

- SECTION 1. Amendment to Section 33 of the act passed March 12th, 1861. Duty of County Auditors where counties do not constitute a Senatorial district.
2. Amendment to Section 34. Canvassing board where two or more counties are united in one Senatorial district—time of meeting.
3. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That Section 33 of the act entitled "an act to regulate elections in this State, and to reduce the several acts relating to the same to one act," approved March 12th, 1861, be and the same hereby is amended so as to read as follows:

Duty of County Auditors where counties do not constitute a Senatorial District

Sec. 33. The County Auditor of each of the several counties in this State, which does not constitute or contain a Senatorial district, shall make out from the returns in his office, an abstract of the votes for members of the State Senate and House of Representatives, which he shall seal and direct to the County Auditor of the senior county in his Senatorial district; *Provided*, That if there shall be two or more counties in said district of the same age, then and in that case such returns shall be directed to the Auditor of the county polling the greatest number of votes at the last preceding general election, except in the cases hereinafter provided; and said Auditor shall endorse on the outside of the cover thereof, the following words: "Abstract of votes for members of the State Senate and House of Representatives of the county of _____," and sign his name thereto, and forward such abstract to the proper Auditor within fifteen days after the day of election; *Provided*, That the returns and abstract of votes for members of the Legislature of the Third Senatorial District shall be made to and canvassed by the Auditor of the county of Stearns, within thirty

days after the day of election; and the returns and abstracts of votes for members of the Legislature of the Fourth Senatorial district shall be made to and canvassed by the Auditor of Anoka county, within twenty days after the day of election; and the same rules shall be observed as to the calling other officers to their assistance, and the manner of opening and canvassing the returns, and awarding certificates of election, by said Auditors last named, as are to be observed in other cases provided in the next section.

SEC. 2. That Section 34 of said act shall be, and is hereby amended so as to read as follows:

SEC. 34. When two or more counties are comprised in one Senatorial district of this State, the Auditor of the senior county, or of the county wherein it is provided the returns are to be made, shall, on the twenty-fifth day after the election, with the County Auditors of such other counties of the district, as may choose to attend at his office, call to his assistance two Justices of the Peace and a Probate Judge, (provided such a Judge resides at the county seat where the returns are made,) and shall then and there open the returns of the votes given in the several counties, or portions of a county or counties composing such Senatorial district; and said Auditors shall immediately make out a certificate of election for the person or persons having the highest number of votes in such Senatorial district, for a member or members of the Legislature, which certificate shall be delivered to the person entitled to it, on his application, verbal or written, to the County Auditor of the county where the returns are made as aforesaid.

Time of meeting
of canvassing
board

SEC. 3. This act shall be in force from and after its passage.

Approved, February 20, 1863.